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US Dept. of Commerce Pat. & Trademark Office

Attorney's Docket No.

21975

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC 371

US. Application No. (if known)

09/913344

INTERNATIONAL APP. NO.
PCT/DE00/00425

INTERNATIONAL FILING DATE
11 February 2000

PRIORITY DATE CLAIMED
18 February 1999

TITLE OF INVENTION

METHOD AND DEVICE FOR LIBERATING OXYGEN ISOTOPES FROM OXYGEN-CONTAINING SOLIDS

APPLICANT(S) FOR DO/EO/US

Gerhard Hans SCHLESER et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EU/US) the following .

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 317(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 USC 371(c)(2)).
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau.
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Patent Office.
6. ☒ A translation of the International application into English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau.
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3).
9. ☒ An oath or declaration of the inventor(s) (35 USC 371(c)(4).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).

Items 11. to 16. below concern documents or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An Assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items of information.
Drawing (1 sheets)
References
PTO-1449

US Application no (if known) 09/913344	International Application no. PCT/DE00/00425	Attorney's Docket No. 21975
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17. The following fees are submitted:
 Basic National Fee (37 CFR 1.492(a)(1)-(5):
 Search report has been prepared by the EPO or JP \$860.00
 Int'l prel. exam. fee paid to USPTO (37 CFR 1.482) \$690.00
 No int'l prel. exam. fee paid to USPTO (37 CFR 1.482)
 but int'l search fee paid to USPTO (37 CFR 1.445(a)(2)) \$710.00
 Neither int'l prel. exam fee (37 CFR 1.482) nor
 int'l search fee (37 CFR 1.455(a)(2)) paid to USPTO \$1000.00
 Intl. prel. exam. fee paid to USPTO (37 CFR 1.482)
 and all claims satisfied provisions of PCT Art. 33(2-4) \$100.00

CALCULATIONS PTO USE ONLY

\$1,000

ENTER APPROPRIATE BASIC FEE AMOUNT

Surcharge of \$130.00 for furnishing oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NO. FILED	NO. EXTRA	RATE		
Total claims	17	0	\$18	\$0	
Ind. claims	0	0	\$80	\$0	

MULTIPLE DEP. CLAIM(S) (if applicable) (see prel. amt.) 270

TOTAL OF ABOVE CALCULATIONS

\$1,000

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (37 CFR 1.2, 1.27, 1.28)

\$0

SUBTOTAL

\$1,000

Processing fee of \$120.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE

\$1,000

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The Assignment may be accompanied by an appropriate PTO-1595 cover sheet (37 CFR 3.28, 3.39)

\$40

TOTAL FEES ENCLOSED

\$1,040

Amt to be refunded

Amt to be charged

- a. ☐ A check in the amount of \$1000 to cover the above fees is enclosed
- b. ☐ Please charge my deposit account 18-2025 \$00.00 to cover the above fees. A copy of this sheet is enclosed.
- c. ☒ Please charge the amount due to the credit card identified in the attached PTO-2038.
- d. ☒ The commissioner is authorized to charge any additional fees which may be required or credit any overpayment to deposit account 18-2025. A copy of this sheet is enclosed
- e. ☒ A PTO-2038 in the amount of \$40 to cover recordal of the Assignment is enclosed

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:

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Herbert Dubno, Reg. No. 19,752

21975

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Gerhard Hans SCHLESER et al
Patent App. Not known (US Nat'l phase of PCT/DE00/00425)
Filed Concurrently herewith
For METHOD AND DEVICE FOR LIBERATING OXYGEN
 ISOTOPES FROM OXYGEN-CONTAINING SOLIDS
Art Unit Not known
Hon. Commissioner of Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Prior to examination of the above-identified application,
please amend as follows:

In the Claims:

Claim 3, line 1, delete "or 2",

Claim 4, line 1, delete "one of claims 1 to 4", insert
instead -- claim 1 --,

Claim 6, line 1, delete "one of claims 1 to 5", insert
instead -- claim 1 --,

Claim 8, line 1, delete "one of claims 1 to 7", insert
instead -- claim 1 --,

Claim 11, line 1, delete "or 10",

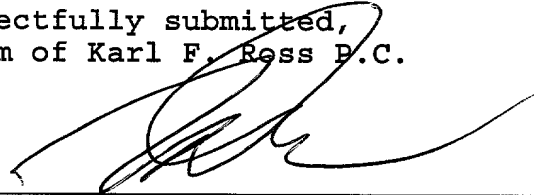
Claim 12, line 1, delete "or 11",

Claim 13, line 1, delete " to 12",

Claim 14, line 1, delete "claims 1 to 13", insert instead
-- claim 13".

This preliminary amendment is submitted just to reduce
claim charges.

Respectfully submitted,
The Firm of Karl F. Ross P.C.



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TRANSLATION

DESCRIPTION

METHOD AND APPARATUS FOR LIBERATING OXYGEN ISOTOPES
FROM OXYGEN-CONTAINING SOLIDS

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The invention relates to a method of liberating oxygen isotopes from oxygen-containing solids, especially from biogenic and nonbiogenic silicate-based substances or solids as well as an apparatus suitable for carrying out the method.

In paleoclimatology and paleothermometry there is interest in determining the proportions of the oxygen isotopes ^{16}O and ^{18}O in solid samples.

From the work "Stable Isotope Geochemistry" of J. Hoefs, 4th Completely Revised, Updated and Enlarged edition, Springer, Berlin, Heidelberg, New York, Barcelona, Budapest, Hong Kong 1997, various methods of liberating oxygen from samples are known. Thus silicate-based samples of solids to be investigated are evaporated according to the state of the art, whereby oxygen is liberated and the analysis can proceed therewith. The oxygen can be investigated directly by mass spectroscopy as to its isotopes. Alternatively, the oxygen can be transformed in a further reaction with carbon into CO or CO₂. The determination of the isotope ratio is then

effected by mass spectroscopic investigation of the CO or CO₂ resulting from reaction with graphite.

Another method which has come into use mainly with silicates and oxides is based upon the fluorination of the substances whose oxygen isotopes are to be analyzed. In this case, the oxygen is liberated by means of F₂ or BrF₃ in nickel cylinders at 500 to 600°C. The oxygen thereafter is generally transformed to CO₂ on hot graphite and is then fed to the mass spectroscopic measurement. Frequently the sample to be investigated requires a prepurification, because foreign molecules or groups which are detrimental to the analysis can be incorporated in the sample. Thus, for example biogenic silicates like the shells of diatoms frequently contain water or OH groups which make an analytic oxygen isotope determination very difficult. Should an analysis of the isotope composition of the oxygen nevertheless have to be carried out, the samples frequently initially must be freed from the foreign substances or molecules by preliminary purification steps which can falsify the analysis result. A method of liberating oxygen from the sample to be tested is the laser vaporization of partial regions of solids. In this method it is not possible to avoid a slight fractionation, which means a shift in the oxygen isotope ratio of the solid sample to be analyzed and which is based upon the somewhat different conditions in the boundary regions of the evaporation process. The heating of the solid sample by laser has therefore significant drawbacks with respect to the representativity or reproducibility of the results with large samples which

can be heated only at point-like regions of the entire solid sample by the laser beam and thus makes the isotope analysis accessible. In the case of inhomogeneities in a sample, the results of the respective measurements of the ratios of the oxygen isotopes are not truly representative for the entire sample. To obtain representative results, therefore, many measurements are required whose results must be averaged.

It is therefore the object of the invention to provide a method and an apparatus by means of which solid samples, above all biogenic silicates or biogenic silicon dioxide, can be analyzed in a single operation without pretreatment especially to liberate from the sample adhering H₂O molecules or OH groups, and also without the need for averaging the results.

Starting from the preamble of claim 1, the object is attained in accordance to the invention by features of the characterizing part of claim 1.

With the method according to the invention it is possible directly to obtain results for the ratio of the isotope oxygen composition in solid samples of such problematical materials like biogenic silicates in a sequence collectively forming a single operation. It is therefore no longer necessary to have any special separate experimental steps of the preparation of the sample. Consequently, a significant reduction in the work and time requirements is possible. In addition, the method of the invention enables the analysis of the oxygen isotope ratios of samples without having to deal with the inhomogeneities of the sample on

the quality of the measurement results with respect to the complete sample. Apart from quantities which are measurable by mass spectroscopy in a problem-free manner, the sample quantities for example for silicate in flow mode can be reduced to 50 $\mu\text{g SiO}_2$ which cannot be as easily handled with chemical decomposition methods. With very heterogeneous samples, however, larger samples of at least 100 $\mu\text{g SiO}_2$ or more are preferred to permit a reliable mean value to be obtained.

Advantageous further features of the invention are given in the dependent claims.

The drawing shows an illustration of the apparatus in schematic form.

It shows:

FIG. 1: An apparatus according to the invention.

The apparatus according to the invention shown in FIG. 1 comprises a graphite cuvette 1 which is elongated, whereby at the upper end a cavity 2 is formed to receive a solid and at the opposite end a bore 3 is provided which receives a rod 4 by means of which the graphite cuvette 1 can be mounted in a housing 5 which is comprised of quartz glass. The housing 5 is connected in a vacuum-tight manner by a connected part 6 to a pump which has not been illustrated in FIG. 1. For special investigation, a cooling finger 7 is integrated in the device and in which water driven thermally out of the sample can be collected. The housing 5, which contains the graphite cuvette 1 is enclosed in a cooling jacket 8 which has a coolant inlet 9 and a coolant outlet 10. The graphite

cuvette 1 has bores 11a and 11b which extend radially with respect to the longitudinal axis of the graphite cuvette and provide a connection between the bore 3 and the environment around the graphite cuvette 1. The housing 5 is surrounded at the level of the cavity 2 of the graphite cuvette 1 by an induction coil 12 which is connected with a medium frequency generator (MF generator). In the cooling jacket 8, at the outer sides and at the angle of 180°, two helium ducts 13 are integrated through which the carrier gas helium can flow into the housing 5 to serve as a carrier for CO or CO₂ which is to be fed to a mass spectrometer. In the connecting part 6 there is to be found a palladium ring 14.

In the operation of the apparatus according to the invention, the graphite cuvette 1, together with the solid sample, which in this example is a silicate, together with the rod 4 is introduced into the housing manually or automatically. The pump is connected via an adapter which is connected to the connection part 6. The housing 5 is comprised preferably of quartz glass since this is inert under the experimental conditions and provides no exchange of oxygen atoms at the high temperatures of the quartz glass with the oxygen produced in the experiment. The coolant jacket 8 is traversed by water supplied via the coolant inlet and which is discharged through the coolant outlet 10. The water cooling is effected in a bypass through the MF generator cooling circuit through which, via a further bypass, the induction coil is also cooled.

The induction coil is energized via the MF generator so that the graphite cuvette 1 is inductively heated. The heating up time can be selected freely and can be controllable steplessly to 2200°C. The heating up, however, is required to be effected in steps. The desired temperature can be either set manually or can be programmable for an interface integrated into a network portion. According to the invention, the silicate sample, without prior purification, i.e. for example by desorption of water or OH-groups, can be decomposed in the graphite cuvette 1, by the induction heating. In this manner the graphite cuvette 1 is heated which results in a simultaneous heating up of the silicate sample. The temperature can be increased only slowly via the manual or programmable heating control. At a temperature of about 100 to 120°C, water can be desorbed and can be drawn off by the pump. With further temperature increase, other impurities can be fractionatingly vaporized. Thus at a temperature of about 1000°C all OH- groups adherent to the sample are removed. Further, nitrogen groups which can quantitatively affect and falsify the latter analysis because of the molecular weight of N₂, can be driven off. At temperatures of about 1300 to 1400°C, the impurities are quantitatively removed and a further increase in the temperature results successively in a splitting off of the silicate oxygen which reacts with the graphite of the graphite cuvette 1 to CO. The heating can be carried out problem-free up to a temperature of 2200°C. In these experimental conditions, there is a Boudouard equilibrium between CO and CO₂ which lies entirely to

the CO side. The presence of CO, as contrasted with CO₂, has the advantage that the CO as the substance to be analyzed has up to twice as great a sensitivity with respect to mass spectrometry than CO₂. Furthermore, the experiment with CO is shorter so that processing time is saved. Thus, preferably the inductive heating is effective to the higher temperature at which the Bouduard equilibrium lies on the side of the CO. Alternatively, the CO produced by reaction of the oxygen with graphite can be transformed by a temperature lowering in the graphite cuvette 1 to CO₂ based upon the Bouduard equilibrium when the equilibrium lies on the CO₂ side, the CO₂ can condense out in the cold finger 7. As a general matter in routine operations above all, the CO₂ is carried off in the helium carrier gas stream which is supplied by the helium on the feed line 13 to the mass spectrometer. Based upon the different atomic weight of the two oxygen isotopes, the CO which is produced has a molecular weight of 28 or 30 in equilibrium with CO₂ with a molecular weight of 44 or 46. Thus it can also be advantageous to operate at a temperature which lies on the CO₂ side since its molecular weight cannot be confused with the NO₂ during the mass spectroscopic measurement in corresponding Faraday capture.

The method is usable for all oxygen-containing solids independently of whether they are available in powder form as amorphous masses, as crystals or some other solids form.

The possibility of continuously heating up of the sample material replaces the prepurification of the substance from

undesired foreign substances or molecules by fractionated desorption or decomposition. As a result, a falsification of the output ratio of the oxygen isotopes is largely precluded since, by contrast with a chemical treatment, no exchange of oxygen atoms of the solid sample with oxygen atoms from reagents can occur. With mixtures which have different decomposition temperatures or melting or vaporization temperatures, a sequential oxygen isotope determination of the different components of the mixture can be carried out.

In an alternative embodiment of the method of the invention, the sample to be analyzed or to be liberated of the investigated solid is mixed with graphite powder and this mixture is inductively heated. The mixture can optionally be pressed into a solid form.

The graphite cuvette 1 used in the apparatus according to the invention can have bores 11a, 11b which provide a connection between the bore 3 for receiving the rod 4 for mounting the graphite cuvette 1 in the housing 5 and the interior space of the housing 5. This is then of advantage when impurity particles have deposited in the bore 3 which can interfere with the analysis. Bores 11a, 11b permit a decomposition of these foreign particles because they facilitate discharge from the bore 3.

Basically the graphite cuvette 1 can also have another geometry so that the configuration of the graphite cuvette 1 is not limited to the configuration shown in Figure 1. A circular cross

section is however the best for the inductive coupling, cuvette manipulation and cuvette production.

The graphite should be of high purity for the analytical purposes so that no falsification of the analysis results by
5 impurities therefrom can occur. Preferably spectral graphite is used which contains any addition of carbon or other components only in a concentration below 20 ppm with Si < 2ppm, Ca < 1ppm, B < 1ppm, Fe < 0.5ppm, Ti < 0.5ppm. Since the analysis step which follows decomposition and reaction with graphite is not limited to
10 mass spectrometry, the purity used can deviate and have other minimum values.

The method of the invention can be used to decompose and analyze large solid quantities of for example 500 μg in one experiment. The results are thus representative and are not
15 subject to errors resulting from heterogeneity of the sample since in the measurement the entire sample is evaluated. Time-consuming repetitive measurements can therefore be spared.

Example:

The decomposition of silicates or opal silicon, as may
20 occur in the shells of certain organisms like diatoms, is of special interest. The isotope ratio of oxygen contained therein can provide an indication of the ambient temperature at the time of formation of these silicon compounds. A pretreatment of these materials has previously been necessary to remove adherent water
25 molecules and included OH groups.

In the method used as an example, the pretreatment is carried out in a single operating step with the liberation of the oxygen and its conversion into CO or CO₂. The material to be investigated is entered into the graphite cuvette and mounted in the housing 5 and functions as a high temperature cell. After evacuation of this high temperature cell to $p \approx 10^{-6}$ bar, a slow inductive heating up of the graphite cuvette 1 is effected. As a result initial adsorbed water is desorbed and pumped off ($T \leq 120^{\circ}\text{C}$). With increasing temperature the included OH groups are removed. Following the ending of this procedure the material is heated up to 2000 to 2200°C at which the SiO₂ is decomposed and the oxygen reacted with the graphite of the graphite cuvette 1 to CO₂ and/or CO. Based upon the Boudouard equilibrium at temperatures of about 2000°, practically only CO is present in the gas space. This can be entrained after the end of the heating step on line by means of helium as a carrier gas into the analyzer in the form of isotope mass spectrometer.

Alternatively, instead of CO, CO₂ can also be mass spectrometrically analyzed. For this purpose, after the end of the decomposition time the graphite cuvette 1 is slowly cooled whereupon the Boudouard equilibrium is then shifted to the CO₂ side. After termination of the cooling step CO₂ can be entrained on line with the aid of helium as a carrier gas, analogously to the CO₂, on line, for determination of the oxygen isotope ratio measurements (flow mode).

Patent Claims

1 1. A method of liberating oxygen isotopes from oxygen-
2 containing solids in which the solids are heated, characterized in
3 that the oxygen-containing solids are brought into contact with
4 graphite and heated up by means of induction whereby CO and/or CO₂
5 result.

1 2. The method according to claim 1, characterized in
2 that the heating up of the solids is effected in vacuum.

1 3. The method according to claim 1 or 2, characterized
2 in that the CO or CO₂ resulting from the heating of the solids are
3 isolated.

1 4. The method according to one of claims 1 to 3,
2 characterized in that the CO or CO₂ are fed to an analysis process.

1 5. The method according to claim 4, characterized in
2 that the analysis process is a mass spectroscopic process.

1 6. The method according to one of claims 1 to 5,
2 characterized in that the solid is a silicate.

1 7. The method according to claim 6, characterized in
2 that the heating is carried out from 1600 to 2200°C.

1 8. The method according to one of claims 1 to 7,
2 characterized in that the heating is carried out sequentially to
3 drive off impurities like water.

1 9. An apparatus for liberating oxygen isotopes from
2 oxygen-containing solids characterized in that it includes a
3 graphite cuvette (1) and an induction source.

1 10. The apparatus according to claim 9, characterized in
2 that the graphite cuvette (1) is provided in a vacuum-tight housing
3 (5) of quartz glass to which a pump is connected.

1 11. The apparatus according to claim 9 or 10,
2 characterized in that it comprises means (7) for capturing gaseous
3 CO or CO₂ arising from induction.

1 12. The apparatus according to claim 10 or 11,
2 characterized in that the housing (5) of quartz glass is provided
3 with means (8) for cooling it.

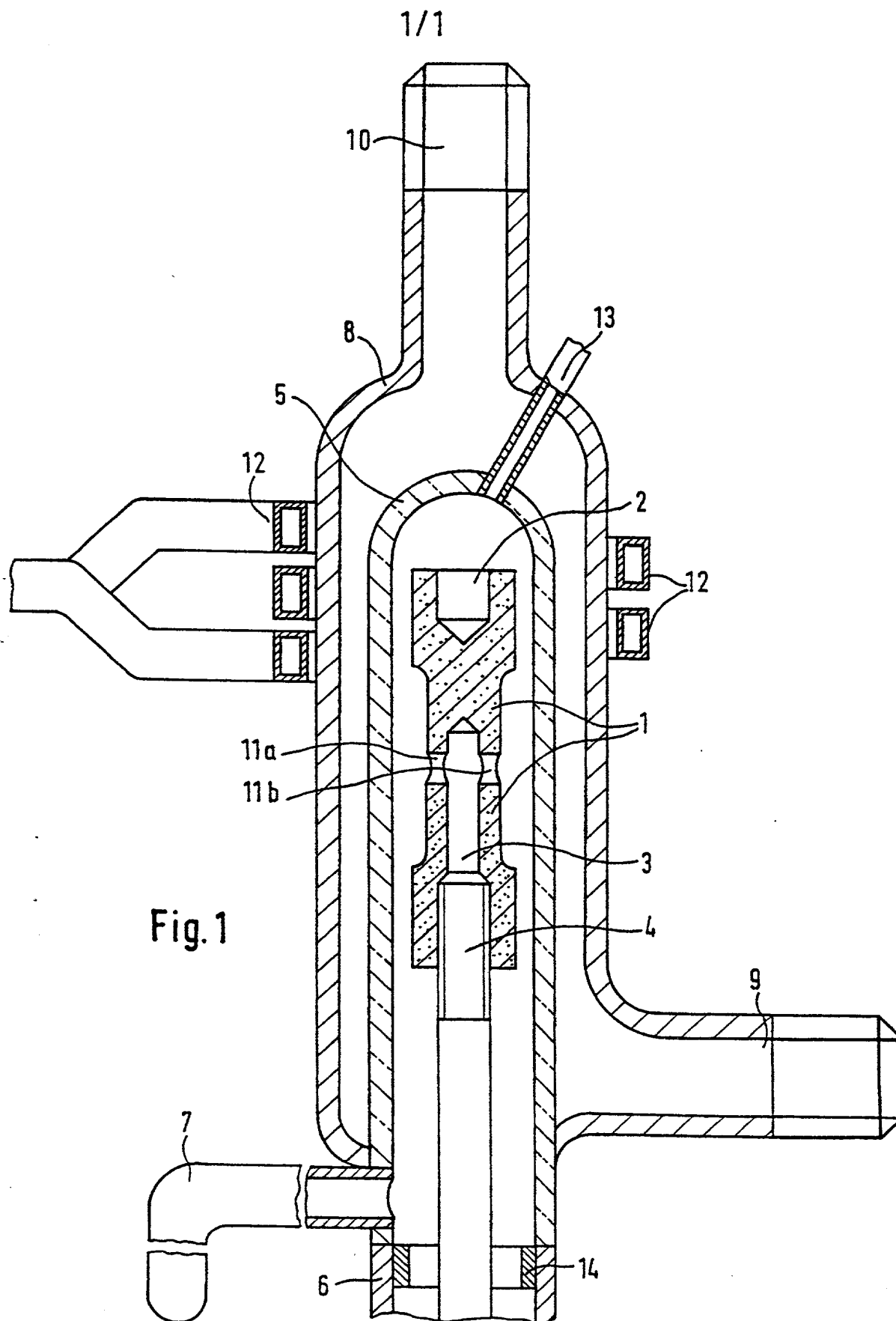
1 13. The apparatus according to claim 10 to 12,
2 characterized in that the housing (5) of quartz glass can be opened
3 on opposite sides to replace the solid with the graphite cuvette.

1 14. The apparatus according to claims 1 or 13,
2 characterized in that the graphite cuvette (1) is elongated whereby
3 at an upper end a cavity (2) is provided for receiving the solids
4 and at the opposite end an axial bore (3) is provided for receiving
5 the solids and at the opposite end an axial bore (3) is provided
6 which can receive a rod with which the graphite cuvette can be
7 mounted in the housing (5).

1 15. A cuvette, characterized in that, it is composed of
2 graphite.

1 16. A cuvette according to claim 15, characterized in
2 that, it is elongated whereby a cavity (2) is formed at its upper
3 end for receiving the solids and at the opposite end an axially
4 bore (3) is provided which can receive a rod with which the cuvette
5 (1) can be introduced into the housing (5).

1 17. A cuvette according to claim 16, characterized in
2 that, it has bores (11a, 11b) which open outwardly in the return
3 direction from the bore (3).



Handwritten marks at top right corner.

21975 **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that: My residence, post-office address, and citizenship are as stated below next to my name,
I believe that I am an original joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND DEVICE FOR LIBERATING OXYGEN ISOTOPES FROM OXYGEN-CONTAINING SOLIDS

the specification of which was filed on **11 February 2000** as PCT application **PCT/DE00/00425**.
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
I hereby claim foreign priority benefits under 35 USC 119 of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications

Country	Number	Filing Date	Priority claimed
DE	19906732.5	18 February 1999	Yes

I hereby claim the benefit under 35 USC 120 of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States Application(s) in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose material information as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Filing Date	Status
PCT/DE00/00425	11 February 2000	Pending

I hereby appoint as attorneys to prosecute this application and to transact all business connected therewith: **Herbert Dubno, Reg. 19,752; Jonathan Myers, Reg. 26,963; Andrew Wilford, Reg. 26,597** and each of them individually.
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or

both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:

Gerhard Hans SCHLESER

Inventor's signature

Date:

31.7.01

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